

M&amp;G 7780.907-US-TA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

3M Company,	)	Opposition No. 91158988
	)	
	)	
Opposer,	)	Mark: <b>EDIT-IT</b>
	)	
v.	)	Serial No. 76/489,528
	)	
Sachen Chandaria,	)	Filed: February 14, 2003
	)	
Applicant.	)	Published: October 21, 2003
	)	

**STIPULATED 120-DAY EXTENSION OF DISCOVERY PERIOD**

It is hereby stipulated by and between the parties through their respective counsel, the Trademark Trial and Appeal Board consenting thereto, that the discovery period in the above-captioned Opposition proceeding, now set to expire on July 26, 2004, be extended one hundred twenty (120) days, up to and including November 23, 2004, in order to allow the parties the opportunity to take additional discovery in this matter and explore settlement.

Counsel for Opposer contacted counsel for Applicant to discuss the one hundred twenty (120) day extension of the discovery period. Counsel for each party readily agreed to the extension and counsel for Applicant further indicated that his concurrence to the extension could be specified in this stipulation without the need for his corresponding signature.

Due to the extension of the discovery period one hundred twenty (120) days, to and including November 23, 2004, the Trademark Trial and Appeal Board consenting thereto, the parties respectfully request that the remaining trial dates also be recomputed in accordance with

07-26-2004

T.T.A.B. rules from the new close of discovery date. Therefore, the relevant closing date for discovery and testimony period would accordingly be as follows:

Discovery to Close	November 23, 2004
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	February 21, 2005
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	April 22, 2005
Rebuttal testimony period to close (opening fifteen days prior thereto)	June 6, 2005

3M COMPANY

By its attorneys,



\_\_\_\_\_  
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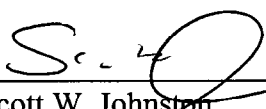
7-23-04  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing STIPULATED 120-DAY EXTENSION OF DISCOVERY PERIOD was served upon the following attorneys of record for Applicant by First Class Mail, this 23rd day of July, 2004:


James F. McCarthy, III  
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Canton, OH 44718

  
\_\_\_\_\_  
Scott W. Johnston

**CERTIFICATE OF MAILING**

I hereby certify that this STIPULATED 120-DAY EXTENSION OF DISCOVERY PERIOD is being deposited with the U.S. Postal Service by First Class Mail, in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, this 23rd day of July, 2004.

  
\_\_\_\_\_  
Scott W. Johnston

TTAB

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A Professional Corporation

3M Company, )  
Opposer, )  
v. ) Opposition No. 91158988  
Sachen Chandaria, )  
Applicant. )

Mark: EDIT-IT  
Serial No.: 76/489,528  
Docket Number: 7780.907USTA  
Official Gazette: October 21, 2003

Due Date: July 26, 2004  
Filing Date: February 14, 2003

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on July 23, 2004.

By:   
Name: Scott W. Johnston

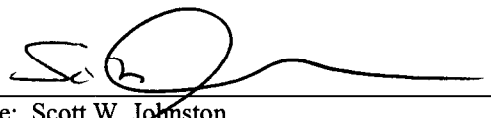
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Dear Commissioner:

We are transmitting herewith the attached:

- ☒ Return postcard.
- ☒ Transmittal Sheet in duplicate containing Certificate Under 37 C.F.R. 1.8
- ☒ 120-Day Stipulated Extension of Discovery Period (Original and 2 Copies).

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

By:   
Name: Scott W. Johnston  
Reg. No.: 39,721  
SWJ/skl

(CONTESTED MATTER)

07-26-2004  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #39